

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER TINKHAM, ET AL.

V.

CIVIL ACTION NO:)05-10470MLW

DOREEN R. KELLY, ET AL.

MOTION FOR ENTRY OF DEFAULT JUDGEMENT

Plaintiffs, Peter Tinkham and Juliet Alexander, pro se, move this Court for an entry of default judgement against Defendant Erica Cohen. As grounds for their motion, Plaintiffs state:

Defendant was served by a licensed constable on July 27, 2005 after taking affirmative steps to evade service and after declining to return the signed waiver of service sent by Plaintiffs on June 1, 2005.

Pursuant to Rule 12(a) Defendant was obliged to serve an answer to Plaintiffs' Complaint by August 16, 2005, has failed to do so and has exhibited continuing and willful disregard for litigation and for Federal Court procedures.

Therefore, because Defendant Erica Cohen has failed to plead or otherwise defend in a timely fashion, Plaintiffs move for an entry of default judgement against Defendant by this Court.

Respectfully submitted



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